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Dkt. 54205-A-PCT-US/JPW/AN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

Applicants : John F. O'Connor, et al.
U.S. Serial No.: 09/09/630,215
Filed : August 1, 2000
For : METHODS FOR PREDICTING PREGNANCY OUTCOME IN
A SUBJECT BY HCG ASSAY

1185 Avenue of the Americas
New York, New York 10036
October 11, 2000

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Sir:

COMMUNICATION TO CORRECT ERROR IN FILING RECEIPT

This Communication is filed to request the issuance of a corrected Filing Receipt in connection with the above-identified application. Upon receipt of the official Filing Receipt for the subject application, a copy of which is attached hereto as **Exhibit A**, applicants' undersigned attorney noticed an error.

Specifically, the continuing data for the subject application incorrectly lists U.S. Serial No. 09/017,976 as a continuation-in-part application.

The continuing data on a corrected Filing Receipt should read as follows:

--CONTINUING DATA AS CLAIMED BY APPLICANT--

Applicants : John F. O'Connor, et al.
U.S. Serial No.: 09/630,215
Filed : August 1, 2000
Page 2

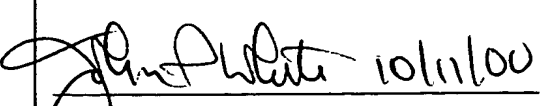
THIS APPLN IS A CON OF PCT/US99/02289 02/03/99
AND CLAIMS PRIORITY OF APPLICATION NO. 09/017,976
02/03/98--

Applicants contend that the correct data may be found in the Preliminary Amendment, which was filed on August 1, 2000 with the subject application. A copy of the Preliminary Amendment is attached hereto as **Exhibit B**. Accordingly, applicants request that a corrected Filing Receipt be issued.

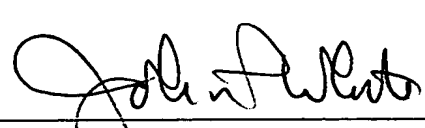
No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Office of Initial Patent Examination Customer Service Center Washington, D.C. 20231.


John P. White
Reg. No. 28,678

Date


John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Bib Data Sheet

SERIAL NUMBER 09/630,215	FILING DATE 08/01/2000 RULE -	CLASS 436	GROUP ART UNIT 1641	ATTORNEY DOCKET NO. 54205-A-PCT-US/JPW/GJC
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APPLICANTS

John F. O'Connor, New Rochelle, NY ;
Galina I. Kovalevskaya, New York, NY ;
Steven Birken, Dumont, NJ ;

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**** CONTINUING DATA *******

THIS APPLICATION IS A CON OF PCT/US99/02289 02/03/1999 *gag*
WHICH IS A CON OF 09/017,976 02/03/1998 *gag*

**** FOREIGN APPLICATIONS *******

IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 09/21/2000

Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no	35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance	STATE OR COUNTRY NY	SHEETS DRAWING 7	TOTAL CLAIMS 24	INDEPENDENT CLAIMS 9
Verified and Acknowledged Examiner's Signature _____ Initials _____					

ADDRESS

John P. White
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

TITLE

Methods for predicting pregnancy outcome in a subject by hCG assay

FILING FEE RECEIVED 1230	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees (Filing)
		<input type="checkbox"/> 1.17 Fees (Processing Ext. of time)
		<input type="checkbox"/> 1.18 Fees (Issue)
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/630,215 ✓	08/01/2000 ✓	1641	1230	54205-A- PCT- US/JRW/GJC	7	24	9

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 OCT - 4 2000
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FILING RECEIPT



OC000000005434873

 John P White
 Cooper & Dunham LLP
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 New York, NY 10036

Date Mailed: 09/28/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO process the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

 John F. O'Connor, New Rochelle, NY ; ✓
 Galina I. Kovalevskaya, New York, NY ;
 Steven Birken, Dumont, NJ ;

Continuing Data as Claimed by Applicant

 THIS APPLICATION IS A CON OF PCT/US99/02289 02/03/1999
 WHICH IS A CIP OF 09/017,976 02/03/1998

Foreign Applications

If Required, Foreign Filing License Granted 09/21/2000

Title

Methods for predicting pregnancy outcome in a subject by hCG assay ✓

Preliminary Class

436

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John F. O'Connor, et al.
U.S. Serial No. : Not Yet Known (Continuation Application
of PCT/US99/02289, filed 3 February
1999)
Filed : Herewith
For : METHODS FOR PREDICTING PREGNANCY
OUTCOME IN A SUBJECT BY hCG ASSAY



1185 Avenue Of The Americas
New York, New York 10036
August 1, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231
Box: Patent Application

Sir:

**PRELIMINARY AMENDMENT TO THE ACCOMPANYING CONTINUATION
APPLICATION FILED UNDER 37 C.F.R. §1.53**

Applicants request that the following amendment be made in the
above-identified application:

In the Specification:

On page 1, after the title and before line 5, please delete the
paragraph and insert the following new sentence:

--This application is a continuation of PCT International
Application No. PCT/US99/02289, filed 3 February 1999,
designating the United States of America, which is claiming
the priority of U.S. Serial No. 09/017,976, filed February
3, 1998, the contents of which are hereby incorporated by
reference into the present application.--

John F. O'Connor, et al.
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(Continuation of PCT/US99/02289,
filed 3 February 1999)
Filed: Herewith
Page 2

In the Claims:

Please cancel claims 4-5, 7, 9-13, 16-17, 19, 22-26, 29-30, 32-33, 35-37, 40-41, 45, 47-48, 50, 52, 54-55, and 57 without prejudice or disclaimer to applicants' right to pursue the subject matter of these claims in a future continuation or divisional application and amend claims 34, 43, and 56 pursuant to the provisions of 37 C.F.R. 1.121(b) by deleting the bracketed material and inserting the underlined material as follows:

- 34. (Amended) The diagnostic kit of claim 31[, 32 or 33] further comprising a control sample [(s)] wherein the control sample is from a normal pregnant subject [sample (s)].--
- 43. (Amended) The early pregnancy associated isoform of hCG recognized by the monoclonal antibody of claim [40] 38, wherein the monoclonal antibody is designated B152.
- 56. (Amended) The method of claim [48] 44, wherein the gestational trophoblast disease is choriocarcinoma or hydatidiform mole and the second antibody is B109.

REMARKS

This application is a continuation of PCT International Application No. PCT/US99/02289, filed 3 February 1999, designating the United States of America and claiming priority of U.S. Serial No. 09/017,976, filed February 3, 1998. Accordingly, the parent application, PCT International Application No. PCT/US99/02289, is pending today in the United

John F. O'Connor, et al.
U.S. Serial No.: Not Yet Known
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filed 3 February 1999)
Filed: Herewith
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States of America pursuant to 35 U.S.C. §363, and the subject continuation application is co-pending therewith in fulfillment of the provisions of 35 U.S.C. §120.

By this Preliminary Amendment, applicants have hereinabove amended the specification on page 1 to insert the continuation data. Applicants maintain that the amendments to the specification present no issue of new matter and are fully supported by the specification. Applicants have amended the specification to recite the continuing data for the above-identified application.

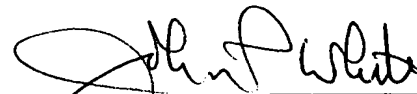
Claims 1-57 were pending in the subject application. By this Amendment applicants have canceled claims 4-5, 7, 9-13, 16-17, 19, 22-26, 29-30, 32-33, 35-37, 40-41, 45, 47-48, 50, 52, 54-55, and 57 without prejudice or disclaimer to applicants' right to pursue the subject matter of these claims in a future continuation or divisional application. Applicants have hereinabove amended claims 34, 43, and 56. Support for these amendments may be found inter alia on page 5, lines 13-19, page 11, lines 21-24, and page 12, lines 5-11. Accordingly, upon entry of this Amendment, claims 1-3, 6, 8, 14-15, 18, 20-21, 27-28, 31, 34, 38-39, 42-44, 46, 49, 51, 53, and 56 will be pending and under examination.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone at the number provided below.

John F. O'Connor, et al.
U.S. Serial No.: Not Yet Known
(Continuation of PCT/US99/02289,
filed 3 February 1999)
Filed: Herewith
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No fee other than the filing fee of \$1230.00 is deemed necessary in connection with this Preliminary Amendment. However, if any other fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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